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Drug Crimes Case Study Data Analysis for the Region of Ottawa-Carleton, 1996-1998:

A preliminary report on cannabis

Are pot users over targeted?

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An RCMP case study data analysis on drug crime was recently conducted in the region of Ottawa- Carleton to determine:

a) if police officers are over targeting pot users
b) if drug crime charged offenders are receiving light sentences, and
c) if drug charges are being disregarded for conviction of more serious charges such as murder or assault.

Summarized and statistically analysed were 300 randomly chosen Crown case files from 1996-1998, involving offenders from diverse cultural and socioeconomical backgrounds, charged with drug crimes and other offences.

It was discovered that:

* **Approximately 90-95% of drug charges are linked up with other charges.**
* Offenders charged with drug crimes (possession, trafficking, etc...) are picked up by police because they are either committing drug violations or other non-drug related violations. **For the vast majority of those who were "picked up" on cannabis simple possession charges, it was not for any reason directly related to drugs.**
* Approximately 19% of those charged with **vehicle infractions were also later found in possession of cannabis**- while 16% of those charged with **suspicious behaviour while in a motor vehicle, were subsequently found to be in possession of cannabis**.
* Contrary to the popular belief that police officers target cannabis possession charged offenders, the Ottawa-Carleton **police arrest much more traffickers (41.3%) than they do simple possession offenders (8%).**
* Most of the offenders charged with drug crimes (46.7%) were charged with simple possession. 19.7% of offenders were charged with possession for the purpose of trafficking, 18% of offenders were charged with trafficking, and 15.7% were charged with other drug crimes or a combination of the drug crimes.

Offenders picked up by police in relation to cannabis offenses

Cannabis trafficking		Cannabis simple possession		Cannabis possession for the purposes of trafficking	
15 cases		105 cases		33 cases	
40% picked up for trafficking/possession for the purpose	n=6	9.5% picked up for trafficking/possession for the purpose	n=10	48.5% picked up for trafficking/possession for the purpose	n=16
20% picked up for vehicle infractions (dangerous or impaired driving)	n=3	19% picked up for vehicle infractions (dangerous or impaired driving)	n=20	15.2% picked up for vehicle infractions (dangerous or impaired driving)	n=5
13.4% other (assault 6.7% and suspicious behaviour while in motor vehicle 6.7%)	n=2	16.2% picked up for suspicious behaviour while in motor vehicle	n=17	9.1% picked up for suspicious behaviour while in motor vehicle	n=3
13.3% picked up for theft/proceeds	n=2	9.5% picked up for theft/proceeds	n=10	6.1% picked up for possession	n=2
13.3% picked up for suspicious behaviour	n=3	9.5% picked up for suspicious behaviour	n=10	9.1% picked up for suspicious behaviour	n=3
		36.3% other (possession 7.6%, unrelated arrest 4.8%, b & e 7.6%, assault 8.6%, drunk charge 3.8%)	n=34	12.1% other (unrelated arrest 6.1%, b & e 3%, theft/proceeds 3%)	n=4

Drugs involved in drug crimes

Cannabis is a major drug involved in 57% of drug crimes. Cocaine was involved in 23% of cases, crack in 9.7% of cases, and a combination of cannabis and other drugs in 7.3% of cases, and other drugs or a combination of drugs in 7.3% of cases.

Drug charge outcomes

Most offenders charged with drug crimes either plead guilty (37.7%), their charges were withdrawn (28%), or they plead guilty to some charges in exchange for other charges being withdrawn (19%). Only 6% of offenders plead guilty to a lesser drug charge and only 2.7% of charges were stayed. The remaining charges were other charges or a combination of charges in which 6.7% of offenders plead guilty to. Cannabis charged offenders were either found guilty of their charges (36.8%) or their charges were withdrawn (32.2%). Offenders charged with cannabis possession for the purpose of trafficking either plead guilty 36.4% or plead guilty to a lesser charge 27.3%. Crack or cocaine charged offenders were more likely to be found guilty of their drug charges (48.3% and 42%) than their charges being withdrawn (20.7% and 24.6%).

Cannabis trafficking		**Cannabis simple possession**		**Cannabis possession for the purposes of trafficking**	
15 cases		**105 cases**		**33 cases**	
33.3% plead guilty	**n=5**	**43.8% plead guilty**	**n=46**	**36.4% plead guilty**	**n=12**
40% charges withdrawn	**n=6**	**40% charges withdrawn**	**n=42**	**15.2% charges withdrawn**	**n=5**
20% combination p/g to and w/d charges	**n=3**	**4.9% other (stayed 1%, combination p/g and w/d 2.9%, other combinations 1%)**	**n=5**	**12.1% combination p/g and w/d**	**n=4**
6.7% p/g to lesser charge	**n=1**	**11.4% p/g to lesser charge**	**n=12**	**27.3% lesser charge**	**n=9**
				9.1% other (combination p/g and stayed 3%, stayed 6.1%)	**n=3**

Drug charge link with other non-drug related charges

Offenders are not only charged with drug charges, but also with other non-drug related charges. Approximately 90-95% of drug charges are linked up with other charges. For cannabis simple possession charges, many are related to breaches. For more serious cannabis drug-related charges, there is a definite link with more serious non-drug related offenses such as weapons charges, and assault.

Cannabis simple possession charges		**More serious cannabis drug charges**	
105 cases		66 cases	
96.2% of cases are related to other charges		**89.4% of cases are related to other charges**	
CANNABIS DRUG CHARGE LINK WITH OTHER CHARGES			
50.5% related to breaches or breaches and proceeds (48.6% and 1.9%)	n=53	39.4% related to breaches or breaches and proceeds (24.2% and 15.2%)	n=26
4.8% related to weapons charges	n=5	9.1% related to weapons charges	n=6
15.2% related to fraud charges	n=16	4.5% related to fraud charges	n=3

1% related to assault charges	n=1	13.6% related to assault charges	n=9
3.8% not related to any charges	n=4	10.6% not related to any charges	n=7

Sentence outcome for drug charges <u>related</u> to other charges

Offenders were more likely to be found guilty of drug charges (46.7%) than of the non-drug related charges (19.3%). Offenders charged with other non-drug related crimes were more likely to have their charges withdrawn (41%) or their charges withdrawn in exchange for pleading guilty to other charges (25.3%). Offenders are not getting off easy in that of those committing drug and other non-drug related charges, 44.7% are receiving custodial sentences or conditional sentences (halfway houses). 19.3% of offenders receive a fine, 11% receive a probation order, 3% receive a community service order or rehabilitation, and 2.3% of sentences were unknown.

Sentence outcome for cannabis charges <u>un-related</u> to other charges

The number of drug cases unrelated to other non-drug related charges is quite small (20 / 300 cases). Therefore, it is difficult to get an accurate picture.

For cannabis simple possession-only charges, only 5 out of the total 300 cases were found. These five either received a 'not-guilty" verdict or were given a fine/probation.

For cannabis possession for the purpose of trafficking-only or trafficking-only charges, there were only 11 out of the total of 300 cases found.

Cannabis possession charges are <u>almost always related</u> to one of the following:

-breaches,
-fraud,
-infractions (impaired driving) and suspicious behaviour in a vehicle
-trafficking
-possession of other drugs
-theft
-assault.

For further information, please contact RCMP Drug Awareness